

City of Aliso Viejo

Agenda Item



DATE: April 1, 2015

TO: Mayor and City Council

FROM: Mitzi Ortiz, City Clerk

SUBJECT: ADOPT ORDINANCE CONFIRMING EXISTING PROHIBITION OF
SHORT-TERM RENTALS IN RESIDENTIAL DISTRICTS

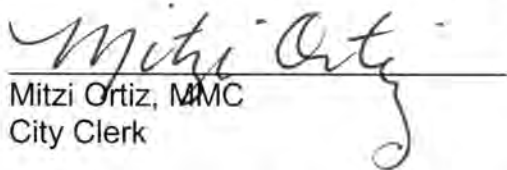
Recommendation:

Conduct second reading and adopt Ordinance entitled:

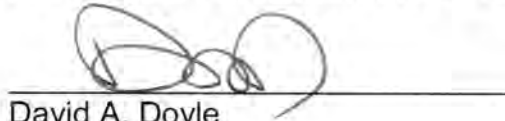
**AN ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA
AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE BY
AMENDING TABLE 15.10.020 OF SECTION 15.10.020, ADDING SECTION
15.14.165, AND AMENDING SECTION 15.94.020 TO PROHIBIT SHORT-
TERM RENTALS IN RESIDENTIAL DISTRICTS – PA 15-002 (ZCA)**

Summary:

On March 18, 2015, the City Council unanimously approved the introduction and first reading of the subject Ordinance. No public comments were received for this item. The Ordinance will take effect 30 days after adoption.


Mitzi Ortiz, MMC
City Clerk

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL


David A. Doyle
City Manager

Attachment: Ordinance

ORDINANCE NO. 2015-_____

AN ORDINANCE OF THE CITY COUNCIL OF ALISO VIEJO, CALIFORNIA AMENDING TITLE 15 OF THE ALISO VIEJO MUNICIPAL CODE BY AMENDING TABLE 15.10.020 OF SECTION 15.10.020, ADDING SECTION 15.14.165, AND AMENDING SECTION 15.94.020 TO PROHIBIT SHORT-TERM RENTALS IN RESIDENTIAL DISTRICTS – PA 15-002 (ZCA)

WHEREAS, the proliferation of online vacation rental websites such as Airbnb.com and Homeaway.com have encouraged and enabled City of Aliso Viejo ("City") property owners, tenants, and occupants to rent their local, residential properties on a short-term basis to travelers or transients; and

WHEREAS, these short-term rentals, generally numbering less than 30 days, are often associated with excessive noise, parking problems, trash, and degradation of a neighborhood's residential character; and

WHEREAS, the City has received numerous complaints from residents about the negative secondary effects of short-term rental uses in their residential neighborhoods; and

WHEREAS, the Aliso Viejo Municipal Code ("AVMC") does not expressly address short-term rentals in residential districts. However, because short-term rentals are not expressly permitted in residential districts under the AVMC, such transient uses are prohibited; and

WHEREAS, the City Council desires to amend the City's Zoning Code to expressly prohibit short-term rentals in residential districts to preserve the residential character of City neighborhoods and stem the negative, secondary effects caused by those uses; and

WHEREAS, AVMC section 15.78.050 authorizes the City Council to initiate and adopt zoning code amendments, pursuant to the Council making certain findings related to the public welfare and General Plan consistency; and

WHEREAS, notice of the public hearing on this proposed Zoning Code Amendment was published in a 1/8 page display ad in the Aliso Viejo News on January 8, 2015, and public hearing notices were posted at the Aliso Viejo City Hall, the Aliso Viejo Library, and the Aliso Viejo Sheriff Substation pursuant to California Government Code sections 65853 *et seq.*; and

WHEREAS, the City Council held a duly-noticed public hearing on March 18, 2015 to consider first reading of this Ordinance and public testimony and recommendations presented by staff in its staff report and oral presentation.

THE CITY COUNCIL OF THE CITY OF ALISO VIEJO HEREBY ORDAINS AS FOLLOWS:

Section 1. CEQA. This Ordinance enacts changes to the City's Zoning Code in order to promote health, safety, comfort and general welfare in the community. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") because the activity is not a project as defined in Section 15378 of the State CEQA Guidelines. Even if the Ordinance constituted a "project" within the meaning of CEQA, the activity is exempt under State CEQA Guidelines section 15061 for the reasons set forth in this Ordinance and the corresponding staff report. The Ordinance does not have the potential for resulting in physical change to the environment, directly or indirectly.

Section 2. Findings. After receiving public testimony, reviewing the evidence submitted by staff, and discussing the proposed Ordinance, the City Council hereby finds that the amendments to the Zoning Code relating to the ban of short-term rentals in residential districts are supported by the following findings:

A. Public Welfare. Approval of the Code amendment will not create conditions materially detrimental to the public health, safety, and general welfare. Rather, the amendments are enacted to further protect residential uses by banning short-term rentals in residential districts and curbing the negative, secondary effects of such transient use, including excessive noise, parking problems, trash, and degradation of a neighborhood's residential character; and

B. General Plan Consistency. The Code amendment is consistent with the goals, objectives, and policies of the City's General Plan and any applicable specific plan. Specifically, residential housing was developed to encourage a diversity of housing types and provide affordability levels within Aliso Viejo to meet the needs of community residents. (General Plan Goals H1, p. H-6). When residential property is used for short-term rentals for travelers and transients, less long-term housing is available for community residents. The zoning amendment seeks to preserve housing for long-term residents who will invest in their neighborhoods and communities. Moreover, the amendment encourages safe and aesthetically pleasing neighborhoods, and provides adequate housing to meet the needs of all household types and income groups. (General Plan Goal H2, p. H-7). Prohibiting short-term rentals preserves the character of residential neighborhoods by minimizing the parking, traffic, and noise issues associated with short-term rentals. Further, short-term rentals in solely residential areas are not an expressly permitted use in any of the applicable specific plans, and therefore, are prohibited. (See, e.g., Glenwood Specific Plan, Table 5-22-A; Ventana Ridge Specific Plan, p. 2-1; The Commons at Aliso Viejo Town Center Specific Plan, p. IV-10; Vantis Specific Plan, pp. 2-3- to 2-4.)

Section 3. Zoning Code Amendment. Table 15.10.020 of Section 15.10.020 of Title 15 of the Aliso Viejo Municipal Code is hereby amended, pursuant to Ordinance No. 2015-_____, to add the following reference:

TABLE 15.10.020:
PERMITTED USES IN RESIDENTIAL DISTRICTS

	RL Low Density Residential	RM Med. Density Residential	RH High Density Residential	RVH Very High Density Res.
RESIDENTIAL USES:				
Short-term rentals, subject to AVMC 15.14.165	NP	NP	NP	NP

Section 4. Zoning Code Amendment. Section 15.14.165 is hereby added to Title 15 of the Aliso Viejo Municipal Code, pursuant to Ordinance No. 2015-____, to read as follows:

"15.14.165 Short-term Rental Uses Prohibited.

A. Prohibition. Short-term rental uses such as transient bed and breakfast, hostel, hotel, inn, lodging, motel, resort and other transient lodging uses for remuneration are prohibited in all residential districts, except as otherwise permitted by the Municipal Code.

B. Liability and Enforcement. Any property owner, tenant, subtenant, occupant, person acting as agent, real estate broker, real estate agent, property manager, reservation service or otherwise who arranges or negotiates for the short-term use of residential property in violation of the provisions of this section shall be liable pursuant to the provisions of Chapter 1.06 of the Municipal Code."

Section 5. Zoning Code Amendment. Section 15.94.020 of Title 15 of the Aliso Viejo Municipal Code is hereby amended, pursuant to Ordinance No. 2015-____, to add the following definitions:

"'Occupancy, Short-term' for purposes of Section 15.14.165, means the use or possession, or the right to the use or possession, of any portion of any room or rooms offered for remuneration for dwelling, lodging or sleeping purposes, regardless of the purpose for which such rooms are rented.

'Remuneration' means compensation, money, rent, or other bargained for consideration given in return for occupancy, possession, or use of real property.

'Transient' means any person who exercises occupancy or is entitled to

occupancy in exchange for remuneration for a period of 30 consecutive calendar days or less, counting portions of calendar days as full days. In determining whether a person is a transient, an uninterrupted period of time extending both prior and subsequent to the effective date of the ordinance codified in this chapter may be considered.”

Section 6. Conflicting Regulations. Upon the effective date of this Ordinance, all former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance are hereby repealed and declared to be of no further force and effect.

Section 7. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 8. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

Section 9. Publication. The City Clerk shall publish this Ordinance within fifteen (15) days of its adoption in accordance with California Government Code Section 36933.

Section 10. Notice of Exemption. The City Council hereby directs staff to prepare, execute and file with the Orange County Clerk a Notice of Exemption within five (5) working days of first reading of this Ordinance.

Section 11. Location and Custodian of Records. The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based are located at Aliso Viejo City Hall, 12 Journey, Aliso Viejo, California 92656. The Director of Planning Services is the custodian of the record of proceedings.

PASSED, APPROVED AND ADOPTED this 1st day of April, 2015.

William A. Phillips
Mayor

APPROVED AS TO FORM:

ATTEST:

Scott C. Smith, City Attorney

Mitzi Ortiz, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF ALISO VIEJO)

I, MITZI ORTIZ, City Clerk of the City of Aliso Viejo, California, DO HEREBY CERTIFY that foregoing Ordinance No. 2015-____ was duly passed and adopted by the City Council of the City of Aliso Viejo at their regular meeting held on the 1st day of April, 2015, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

MITZI ORTIZ, MMC
CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 2015-____ duly passed and adopted by the Aliso Viejo City Council at its regular meeting held April 1, 2015 and that the Summary of the Ordinance was published on March 26, 2015 and April ____, 2015 in the Aliso Viejo News.

MITZI ORTIZ, MMC
CITY CLERK

(SEAL)

City of Aliso Viejo Agenda Item



DATE: April 1, 2015
TO: Mayor and City Council
FROM: Gina M. Tharani, Director of Financial Services
SUBJECT: ACCOUNTS PAYABLE

Recommended Action:

1. Ratify accounts payable checks issued March 12, 2015 in the amount of \$302,755.12 and
2. Ratify accounts payable checks issued March 19, 2015 in the amount of \$641,772.16.

Fiscal Impact:

Expenditures in the amount of \$944,527.28.

Background:

The City issues accounts payable checks on a bi-monthly basis and submits them to the City Council for review and approval prior to the creation of accounts payable checks. Special check runs are done on a weekly basis with the City Council ratification at its next regularly scheduled City Council Meeting.

Discussion:

The issued accounts payable checks were reviewed and approved for payment. The register is being presented to City Council for approval.

Gina M. Tharani
Director of Financial Services

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL

David Doyle
City Manager

Attachment: Accounts Payable Reports



Accounts Payable

3/12/2015

101 - GENERAL FUND

Vendor Name	Description (Item)	Amount
101 - GENERAL FUND		
CALPERS RETIREMENT	PERS PAY PERIOD 3	9853.11
CALPERS RETIREMENT	PERS PAY PERIOD 5	11164.66
CALPERS RETIREMENT	PERS PAY PERIOD 4	9853.65
		30871.42
CITY MANAGER		
GLENN YASUI	G.Y. - JAN-MAR'15 MILEAGE REIMBURSEMENT	242.13
STAPLES ADVANTAGE	CM-PEN	21.27
	CITY MANAGER TOTAL:	263.4
CITY CLERK		
CITY CLERKS ASSOC OF CA	M.O. - 3/19/15 CCAC MEMBERSHIP MEETING	40
STAPLES ADVANTAGE	CC-CERTIFICATE HOLDERS	88.07
STAPLES ADVANTAGE	CC - STORAGE BOXES,DUSTER,KEYBOARD,CORRECT TA	47.69
	CITY CLERK TOTAL:	175.76
FINANCE		
STAPLES ADVANTAGE	FIN-CALENDAR,LABELS,PENS,HIGHLIGHTERS,TISSUES	135.83
	FINANCE TOTAL:	135.83
NON-DEPARTMENTAL		
MOULTON NIGUEL WATER DIST	1/25-2/24/15 RANCH WATER MTR #4746	55.25
AT&T CALIFORNIA	2/22-3/21/15 CH BACKUP PHONE LINES	1424.73
SO CAL EDISON	2/3-3/5/15 AV RANCH ELECTRICITY	148.17
JAMES S OSWALD	COUNCIL & STAFF STRATEGY SESSION	15000
ALBERT ARMIJO	A.A. - ELECTRONIC DEVICE	840
DAVE HARRINGTON	D.H. - ELECTRONIC DEVICE	758.97
ROSS CHUN	R.C. - ELECTRONIC DEVICE	822.96
GINA THARANI	G.T. - ELECTRONIC DEVICE	840
MITZI ORTIZ	M.O. - ELECTRONIC DEVICE	667.16
KAREN CROCKER	K.C. - ELECTRONIC DEVICE	840
DAVID DOYLE	D.D. - ELECTRONIC DEVICE	812.98
MIKE MUNZING	M.M. - ELECTRONIC DEVICE	693.11
KRISTIN OLSEN	K.O. - DD 1ST ANNIVERSARY SUPPLIES	53.5
STAPLES ADVANTAGE	CE-STIRRERS,PAPER TOWELS,SUGER,TONER,PAPER	424.23
MICROSOFT CORPORATION	FEB'15 MS OFFICE 365 LICENSES FEE	850
COX COMMUNICATIONS ORANGE COUNTY	3/1-3/31/15 INTERNET SERVICE #8802	329
MICROSOFT CORPORATION	MAR'15 MS OFFICE 365 LICENSES FEE	850
	NON-DEPARTMENTAL TOTAL:	25410.06
C. S. ADMINISTRATION		
AGE WELL SENIOR SERVICES INC	JAN'15 TRANSPORTATION	408.96
AGE WELL SENIOR SERVICES INC	OCT'14 TRANSPORTATION	498.24
AGE WELL SENIOR SERVICES INC	DEC'14 TRANSPORTATION	371.52
AGE WELL SENIOR SERVICES INC	FEB'15 TRANSPORTATION	316.8
MAYFLOWER DISTRIBUTING CO INC	HELIUM TANK RENTAL AND DELIVERY	181.68
KRISTIN OLSEN	K.O. - SNOWFEST REGI DAY REFRESHMENTS	89.59
KRISTIN OLSEN	K.O. - SNOWFEST EVENT SUPPLIES	186.54
KRISTIN OLSEN	K.O. - HOLIDAY SHOW PERFORMER REFRESH	159.45
KRISTIN OLSEN	K.O. - COMMUNITY SERVICES SUPPLIES	50.97
KRISTIN OLSEN	K.O. - COMMUNITY POSTERS/CHRISTMAS DECOR	87.06
STAPLES ADVANTAGE	CS-LABELS,FOLDERS,CORRECTIONS TAPE	147.23
GARY COLEMAN	SPR 2015 NEWSLETTER PRINTING	6623.04
	C. S. ADMINISTRATION TOTAL:	9121.08
IGLESIA PARK		
ANDY GUMP INC	3/5-4/1/15 PORTABLE TOILET RENTAL & SERVICE	187.44
NAZZARENO ELECTRIC CO INC	12/8/15 IGLESIA TENNIS COURT LIGHT REPAIR	742.22
	IGLESIA PARK TOTAL:	929.66
Vendor Name	Description (Item)	Amount

Agenda Item 4-3

IGLESIA BUILDING

PROTECTION ONE ALARM MONITORING INC	3/17-4/16/15 ALARM SERVICE	63.49
IGLESIA BUILDING TOTAL:		63.49

FAMILY RESOURCE CENTER

BOYS & GIRLS CLUB OF CAPISTRANO VALLEY	FEB'15 RECREATIONAL EXPENSES	8333.33
FAMILY RESOURCE CENTER TOTAL:		8333.33

PLANNING

CENTER FOR SUSTAINABLE ENERGY	FEB'15 ENERGY PROGRAM EDUCATION	331.05
LARRY LAWRENCE	FEB'15 ZONING	989
STAPLES ADVANTAGE	PLA-LETTER OPENER,MARKERS,LOG BOOK,LEAD	95.83
PLANNING TOTAL:		1415.88

BUILDING

CHARLES ABBOTT ASSOC INC	FEB'15 CAA BUILDING SVCS	115616.02
STAPLES ADVANTAGE	BLDG-MARKER,AVY,CALENDARS	123.89
BUILDING TOTAL:		115739.91

CODE ENFORCEMENT

CHARLES ABBOTT ASSOC INC	FEB'15 CAA CODE ENFORCEMENT	9352.5
CODE ENFORCEMENT TOTAL:		9352.5

ENGINEERING (GENERAL)

CHARLES ABBOTT ASSOC INC	FEB'15 CAA WQ TESTING	231
CHARLES ABBOTT ASSOC INC	FEB'15 CAA NPDES COSTS	19558.9
CHARLES ABBOTT ASSOC INC	FEB'15 CAA SOLID WASTE	2618.1
CHARLES ABBOTT ASSOC INC	FEB'15 CAA PW ENGINEERING	10984.8
ENGINEERING (GENERAL) TOTAL:		33392.8

TRAFFIC ENGINEERING

CHARLES ABBOTT ASSOC INC	FEB'15 CAA TRAFFIC ENGINEERING	2442
TRAFFIC ENGINEERING TOTAL:		2442

STREET MAINTENANCE

CHARLES ABBOTT ASSOC INC	FEB'15 CAA ST MAINTENANCE	17925.2
STREET MAINTENANCE TOTAL:		17925.2

LAW ENFORCEMENT-OTHER

THE TOLL ROADS	1/10-2/9/15 TOLL CHARGES	260
FRANZ JELKE INC	VIN#7050 MOTORCYCLE 25K MAINT	1249.03
ALL CITY MANAGEMENT SERVICES	2/15-2/18/15 SCHOOL CROSSING GUARD SVCS	6970.5
VOYAGER FLEET SYSTEMS INC	1/25-2/24/15 MOTORCYCLE FUEL	246.63
LAW ENFORCEMENT-OTHER TOTAL:		8726.16

CRIME PREVENTION

STAPLES ADVANTAGE	CP-BOOKCASE,,DOOR HANGER,HAND BOOKS	342.87
CRIME PREVENTION TOTAL:		342.87

GENERAL FUND TOTAL: 264641.35

102 - GEN. FD-CITY HALL

NON-DEPARTMENTAL

JMG SECURITY SYSTEMS INC	APR-JUN'15 FIRE & ELEVATOR ALARM	383.67
NON-DEPARTMENTAL TOTAL:		383.67

GEN. FD-CITY HALL TOTAL: 383.67

203 - GAS TAX

STREET MAINTENANCE

MOULTON NIGUEL WATER DIST	FEB'15 WATER MTR #1683	34.53
MOULTON NIGUEL WATER DIST	FEB'15 WATER MTR #4551	55.25
MOULTON NIGUEL WATER DIST	FEB'15 WATER MTR #2551	55.25
STREET MAINTENANCE TOTAL:		145.03

GAS TAX TOTAL: 145.03

204 - MEASURE M

GEN-MEASURE M

AGE WELL SENIOR SERVICES INC	JAN'15 TRANSPORTATION	1635.84
AGE WELL SENIOR SERVICES INC	OCT'14TRANSPORTATION	1992.96
AGE WELL SENIOR SERVICES INC	DEC'14 TRANSPORTATION	1486.08
Vendor Name	Description (Item)	Amount
AGE WELL SENIOR SERVICES INC	FEB'15 TRANSPORTATION	1267.2

Agenda Item 4-4GEN-MEASURE M TOTAL: 6382.08**MEASURE M TOTAL: 6382.08****241 - TECHNOLOGY FUND**

CHARLES ABBOTT ASSOC INC	FEB'15 COMPUTER LEASE CREDITS	-550
		<u>-550</u>
TECHNOLOGY FUND TOTAL:		-550

245 - DEVELOPMENT IMPACT**GEN-DEVELOPMENT IMPACT**

ROSENOW SPEVACEK GROUP INC	FEB'15 AFFORDABLE HOUSING SERVICES	600
	GEN-DEVELOPMENT IMPACT TOTAL:	<u>600</u>
DEVELOPMENT IMPACT TOTAL:		600

261 - CITY FAC.-AQUATIC CENTER**GEN-AQUATIC CENTER**

NAZZARENO ELECTRIC CO INC	AQUA CENTER-P21,L31 ELECTRIC MTR INSTALL	3771.25
	GEN-AQUATIC CENTER TOTAL:	<u>3771.25</u>
CITY FAC.-AQUATIC CENTER TOTAL:		3771.25

331 - CAPITAL IMPROVEMENTS**CAPITAL IMPROVEMENTS**

DIAMONDS SPORTS FIELDS MAINTENANCE	GAME PREP BALL FIELD FOR OPENING DAY	250
CHARLES ABBOTT ASSOC INC	FEB'15 CAA #098 IGLESIA BALL PARK FIELD	216
	CAPITAL IMPROVEMENTS TOTAL:	<u>466</u>
CAPITAL IMPROVEMENTS TOTAL:		466

332 - STORM WATER**DRAINAGE IMPROVEMENTS**

CHARLES ABBOTT ASSOC INC	FEB'15 CAA #091 DAIRY FORK WETLAND DESIGN	1233.2
CHARLES ABBOTT ASSOC INC	FEB'15 CAA #091 DAIRY FORK PRINTING	280
	DRAINAGE IMPROVEMENTS TOTAL:	<u>1513.2</u>
STORM WATER TOTAL:		1513.2

711 - DEPOSIT ACCOUNTS FUND

LARRY LAWRENCE	FEB'15 PA14-035/PA15-005 CONSULTING	897
SHORELINE POOL	P #72915 ENCROACHMENT DEPOSIT REFUND	3000
AMERICAN CONSTRUCTION MANAGEMENT GROUP	P #71838 C&D REFUNDABLE DEPOSIT	1500
CCRES AAF NEWPORT HEALTHCARE LLC	P #72218 C&D REFUNDABLE DEPOSIT	3500
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 5004 MNWD	1335
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 5027 SHEA PROPERTIES VANTIS	3799.3
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 5005 SCE-SADDLEBACK	178
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 2186 WOODFIELD PARK GRADING	2060.6
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 5002 AT&T/SBC	1201.5
CHARLES ABBOTT ASSOC INC	FEB'15 CAA 2179 VANTIS HOTEL GRADING	2047.9
		<u>19519.3</u>
DEPOSIT ACCOUNTS FUND TOTAL:		19519.3

721 - COMMUNITY TRUST**TRUST FUND**

BOYS & GIRLS CLUB OF CAPISTRANO VALLEY	FEB'15 RECREATIONAL EXPENSES	4530.69
BOYS & GIRLS CLUB OF CAPISTRANO VALLEY	FEB'15 TEEN PROGRAM	1352.55
	TRUST FUND TOTAL:	<u>5883.24</u>
COMMUNITY TRUST TOTAL:		5883.24

GRAND TOTAL: 302755.12

Fund Summary

Fund	Expense Amount	Payment Amount
101 - GENERAL FUND	264641.35	264641.35
102 - GEN. FD-CITY HALL	383.67	383.67
203 - GAS TAX	145.03	145.03
204 - MEASURE M	6382.08	6382.08
241 - TECHNOLOGY FUND	-550	-550
245 - DEVELOPMENT IMPACT	600	600
261 - CITY FAC.-AQUATIC CENTER	3771.25	3771.25
331 - CAPITAL IMPROVEMENTS	466	466
332 - STORM WATER	1513.2	1513.2
711 - DEPOSIT ACCOUNTS FUND	19519.3	19519.3
721 - COMMUNITY TRUST	5883.24	5883.24
Grand Total:	302755.12	302755.12



Accounts Payable

3/19/2015

101 - GENERAL FUND

Vendor Name	Description (Item)	Amount
101 - GENERAL FUND		
TYLER TECHNOLOGIES-INCODE DIVISION	FY15-16 INCODE POS PAY MAINT	759.69
COPOWER	APR'15 DENTAL INSURANCE	1586.59
COPOWER	APR'15 VISION INSURANCE	306.8
		2653.08
CITY MANAGER		
U.S. BANK PURCHASING CARD PROGRAM	DD-2/2 TRESPASS ORDINANCE LUNCH	63.43
ALISO VIEJO CONFERENCE CENTER	2/26/15 OC CITY MANAGERS CONTRACT DISCUSSION	283.11
	CITY MANAGER TOTAL:	346.54
ECONOMIC DEVELOPMENT		
U.S. BANK PURCHASING CARD PROGRAM	GY-BROKER MEET AND GREET SUPPLIES	252.74
DIAMOND STAR ASSOCIATES INC	FEB'15 ECONOMIC CONSULTANT	350
	ECONOMIC DEVELOPMENT TOTAL:	602.74
CITY CLERK		
FREEDOM COMMUNICATIONS INC	2/5/15 AV RANCH SITE PUB HEARING NOTICE	232.65
FREEDOM COMMUNICATIONS INC	2/5/15 PA2015-165 ADOPTION	116.33
FREEDOM COMMUNICATIONS INC	2/12/15 AQUA CENTER BIDS NOTICE	79.2
FREEDOM COMMUNICATIONS INC	2/19/15 14 HCD ANNUAL PROGRESS PUB HEARING	232.65
PACIFIC CLIPPINGS	FEB'15 NEWSPAPER CLIPPINGS	87
CODE PUBLISHING COMPANY	14-15 AV MUNICIPAL CODE SUPPLEMENTS	1317.45
	CITY CLERK TOTAL:	2065.28
CITY ATTORNEY		
BEST BEST & KRIEGER	JAN'15 BBK AGENDA REPORTS	802.96
BEST BEST & KRIEGER	JAN'15 BBK LABOR & EMPLOYMENT	736.6
BEST BEST & KRIEGER	JAN'15 BBK ZONING CODE	1458.77
BEST BEST & KRIEGER	JAN'15 BBK CONF AND AQUA CENTER	154.5
BEST BEST & KRIEGER	JAN'15 BBK GENERAL LITIGATION	13263.7
BEST BEST & KRIEGER	JAN'15 BBK SPECIAL PROJECTS	4105.48
BEST BEST & KRIEGER	JAN'15 BBK CODE ENFORCEMENT	2441.12
BEST BEST & KRIEGER	JAN'15 BBK LEGAL SERVICES	16372.88
	CITY ATTORNEY TOTAL:	39336.01
FINANCE		
U.S. BANK PURCHASING CARD PROGRAM	GT-BUDGET WORKSHOP SUPPLIES	30.85
CMTA	GT-2015 CMTA ANNUAL CONFERENCE	460
CMTA	RS-2015 CMTA ANNUAL CONFERENCE	460
ALISO VIEJO CONFERENCE CENTER	3/6/15 CITY MANAGER BUDGET WORKSHOP	309.1
COPOWER	APR'15 ADMIN CHARGES	15
	FINANCE TOTAL:	1274.95
NON-DEPARTMENTAL		
U.S. BANK PURCHASING CARD PROGRAM	GT-CONFERENCE CALLS	29.2
U.S. BANK PURCHASING CARD PROGRAM	KC-E_NEWS MONTHLY	45
U.S. BANK PURCHASING CARD PROGRAM	GY-2/6 FINANCIAL ANALYST INTERVIEW SNACK	30.35
U.S. BANK PURCHASING CARD PROGRAM	GT-2/6 FINANCIAL ANALYST INTERVIEW PANEL	97
U.S. BANK PURCHASING CARD PROGRAM	DD-2/4,2/18 COUNCIL NIGHT DINNER	327.53
SIGMANET INC.	FEB'15 IT SERVICES	4875
CERTIFIED RECORDS MANAGEMENT	MAR'15 STORAGE FEE	394.8
KONICA MINOLTA BUSINESS SOLUTIONS	MAR'15 KONICA MINOLTA C754	533.89
MAGELLAN BEHAVIORAL HEALTH	JAN-MAR'15 EAP	123.75
MAGELLAN BEHAVIORAL HEALTH	APR-JUN'15 EAP	132
NIGUEL DATA SERVICES INC.	2/12/15 AGENDA PACKETS PRINTING 12	57.39
U.S. TELEPACIFIC CORP.	3/9-4/8/15 CH PHONE SERVICE	1296.49
KONICA MINOLTA BUSINESS SOLUTIONS	FEB'15 KONICA MINOLTA C250	310.62
COX COMMUNICATIONS ORANGE COUNTY	3/6-4/5/15 INTERNET SERVICE #1903	79
	NON-DEPARTMENTAL TOTAL:	8332.02
Vendor Name	Description (Item)	Amount

Agenda Item 4-7

C. S. ADMINISTRATION

U.S. BANK PURCHASING CARD PROGRAM	GD-CPRS CONFERENCE FLIGHT	180.2
U.S. BANK PURCHASING CARD PROGRAM	KC-CPRS CONFERENCE FLIGHT	140.2
U.S. BANK PURCHASING CARD PROGRAM	GD-VOLUNTEER SUPPLIES	519.67
U.S. BANK PURCHASING CARD PROGRAM	KO-SNOWMAN COSTUME CLEANING	32
U.S. BANK PURCHASING CARD PROGRAM	GD-SNOWFEST HELIUM	43.19
U.S. BANK PURCHASING CARD PROGRAM	KC-ROLY SUBSCRIPTION	15
U.S. BANK PURCHASING CARD PROGRAM	KC-POSTER FOR KIOSK	43.19
U.S. BANK PURCHASING CARD PROGRAM	KC-ALISO PROUD PINS	348
U.S. BANK PURCHASING CARD PROGRAM	KO-STORAGE CONTAINERS	21.56
C. S. ADMINISTRATION TOTAL:		1343.01

IGLESIA BUILDING

TEAM ONE MANAGEMENT	MAR'15 JANITORIAL MAINTENANCE	450
HARBOR POINTE AIR CONDITION	3/3/15 IGLESIA AC MAINTENANCE	171.17
NAZZARENO ELECTRIC CO INC	IGLESIA BLDG - LAMP REPLACEMENT	1445.43
IGLESIA BUILDING TOTAL:		2066.6

CODE ENFORCEMENT

DANIEL P. JOSEPH	FEB'15 ADMIN HEARING SVCS	1057.47
CODE ENFORCEMENT TOTAL:		1057.47

ENGINEERING (GENERAL)

COUNTY OF ORANGE TREASURER-TAX COLLECTOR	FY 14-15 NPDES SHARED COST #D02-048	65912.53
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	FY 14-15 ALISO CREEK SHARED COST #D04-050	11545.51
ENGINEERING (GENERAL) TOTAL:		77458.04

LAW ENFORCEMENT-CONTRACT

COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 LEAVE VACANCY CREDIT	-5122.4
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	2014-15 LAW ENFORCEMENT	587369.99
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 VACANT POSITION CREDIT	-102014.49
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 CONTRACT CREDIT	-1484.23
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 WORKERS COMP CREDIT	-40979.2
LAW ENFORCEMENT-CONTRACT TOTAL:		437769.67

LAW ENFORCEMENT-OTHER

U.S. BANK PURCHASING CARD PROGRAM	JM-AUTO DETAIL	119.99
CHRISTINA BERRYMAN	C.B. - SONY TAPE RECORDER	86.39
STEPHEN BAKER	S.B. - GALLS GREEN MOTOR UNIFORM SHIRT	74.84
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 AFIS	1354.42
LAW ENFORCEMENT-OTHER TOTAL:		1635.64

CRIME PREVENTION

U.S. BANK PURCHASING CARD PROGRAM	JM-STAFF MEETING SUPPLIES	34.83
RAY ULMER	R.U. - BUS GREETERS PROGRAM SUPPLIES	29.07
JULIA SMITH	J.S. - BUS GREETERS PROGRAM SUPPLIES	39.94
CRIME PREVENTION TOTAL:		103.84

GENERAL FUND TOTAL: 576044.89

102 - GEN. FD-CITY HALL

NON-DEPARTMENTAL

PEAK LIGHTING & ELECTRIC INC	SERVER ROOM - 240V OUTLET INSTALL	1528.44
PEAK LIGHTING & ELECTRIC INC	COUNCIL CHAMBER LAMP REPAIR	83.48
PEAK LIGHTING & ELECTRIC INC	MAR'15 LIGHTING SERVICE	101.44
THE GAS COMPANY	2/4-3/6/15 CITY HALL GAS MTR#6544	279.58
SO CAL EDISON	2/4-3/6/15 CITY HALL ELECTRICITY	3259.6
FOSTERS' GARDENS INC	MAR'15 PLANT MAINTENANCE	100
TEAM ONE MANAGEMENT	MAR'15 JANITORIAL SERVICE	1650
NON-DEPARTMENTAL TOTAL:		7002.54

GEN. FD-CITY HALL TOTAL: 7002.54

203 - GAS TAX

STREET MAINTENANCE

AEGIS ITS INC	FEB'15 TRAFFIC SIGNAL MAINTENANCE	2728.82
AEGIS ITS INC	FEB'15 ROLLING REPORT	647.95
SO CAL EDISON	FEB'15 STREET LIGHT LS2	1393.4
SO CAL EDISON	FEB'15 STREET LIGHT TC1	2555.43
SO CAL EDISON	FEB'15 STREET LIGHT GS1	84.38
Vendor Name	Description (Item)	Amount

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SO CAL EDISON

FEB'15 STREET LIGHT LS1

14217.1

STREET MAINTENANCE TOTAL: 21627.08

GAS TAX TOTAL: 21627.08

215 - PUBLIC SAFETY GRANTS

LAW ENFORCEMENT-OTHER

COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 PVS REPLACEMENT	1124.39
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 MDC RECURRING	2260.79
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 MDC REPLACEMENT	1647.17
COUNTY OF ORANGE TREASURER-TAX COLLECTOR	MAR'15 PVS RECURRING	1288.78

LAW ENFORCEMENT-OTHER TOTAL: 6321.13

PUBLIC SAFETY GRANTS TOTAL: 6321.13

332 - STORM WATER

DRAINAGE IMPROVEMENTS

LSA ASSOCIATES INC	FEB'15 DAIRY FORK	10804.87
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DRAINAGE IMPROVEMENTS TOTAL: 10804.87

STORM WATER TOTAL: 10804.87

711 - DEPOSIT ACCOUNTS FUND

MONARCH BRANDS,INC	PA14-004 REFUNDABLE DEPOSIT	5065.34
CHARLES K DUSENBERRY II INC	P #71056 C&D REFUNDABLE DEPOSIT	1500
BEST BEST & KRIEGER	JAN'15 BBK PA14-020 REGAL ENETERTAINMENT	1277.57
BEST BEST & KRIEGER	JAN'15 BBK 5027 SHEA PROPERTY	832.5
BEST BEST & KRIEGER	JAN'15 BBK PA14-008 2C LIBERTY	11141

19816.41

DEPOSIT ACCOUNTS FUND TOTAL: 19816.41

721 - COMMUNITY TRUST

TRUST FUND

U.S. BANK PURCHASING CARD PROGRAM	GD-FAMILY PICNIC FIELD OPEN SUPPLIES	155.24
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TRUST FUND TOTAL: 155.24

COMMUNITY TRUST TOTAL: 155.24

GRAND TOTAL: 641772.16

Fund Summary

Fund	Expense Amount	Payment Amount
101 - GENERAL FUND	576044.89	576044.89
102 - GEN. FD-CITY HALL	7002.54	7002.54
203 - GAS TAX	21627.08	21627.08
215 - PUBLIC SAFETY GRANTS	6321.13	6321.13
332 - STORM WATER	10804.87	10804.87
711 - DEPOSIT ACCOUNTS FUND	19816.41	19816.41
721 - COMMUNITY TRUST	155.24	155.24
Grand Total:	641772.16	641772.16

Accounts Payable

Post Dates: 3/18/2015 - 3/20/2015

City of Aliso Viejo

Agenda Item



DATE: April 1, 2015

TO: Mayor and City Council

FROM: Gina M. Tharani, City Treasurer

SUBJECT: TREASURER'S STATEMENT – FEBRUARY 2015

Recommended Action:

Approve the February 2015 Treasurer's Statement.

Fiscal Impact:

No Fiscal Impact.

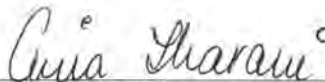
Background:

Per City policy, the Finance Department presents the monthly Treasurer's Statement for the City Council's review and approval. This statement shows the cash balances for the various funds, with a breakdown of bank account balances, investment account balances and the effective yield earned from investments.

Discussion:


The City of Aliso Viejo is invested in the State Treasurer's Local Agency Investment Fund (LAIF). Investment in LAIF is allowed under the City's formally adopted investment policy. All funds are available for withdrawal within 24 hours. In addition, in accordance with the City's Investment Policy, the City has the option to purchase Certificate of Deposits with its local bank. These funds will be insured by Federal Deposit Insurance Corporation (FDIC). FDIC is an independent agency created by Congress in 1933 to supervise banks, insure deposits, and help maintain a stable and sound banking system.

As a secondary investment option, the City continues to maintain its Money Market account with J.P Morgan Chase & Co. Excess funds are invested into an investment pool of US Treasury Notes. Interest is credited to the City's bank account on a monthly basis.



Gina M. Tharani
City Treasurer

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL



David Doyle
City Manager

Attachment: Treasurer's Statement
 LAIF Statement

CITY OF ALISO VIEJO TREASURER'S MONTHLY CASH STATEMENT

February 28, 2015

	BEGINNING BALANCE	RECEIPTS	DISBURSEMENTS	TRANSFERS IN (OUT)	ENDING BALANCE
GENERAL FUND	\$ 19,775,627.42	1,718,359.44	1,382,563.99	-	20,111,422.87
GAS TAX FUND	1,592,357.96	-	76,600.41	-	1,515,757.55
MEASURE M	1,493,315.24	-	-	-	1,493,315.24
PUBLIC SAFETY GRANTS	96,276.22	16,097.11	6,321.13	-	106,052.20 (1)
AIR QUALITY IMPRVMT FD	729,264.31	-	-	-	729,264.31
INTEGRATED WASTE MGMT FD	19,843.86	-	-	-	19,843.86
OTHER GRANTS	182,158.92	-	-	-	182,158.92
TECHNOLOGY GRANT	522,686.10	550.00	15,735.30	-	507,500.80
DEVELOPMENT IMPACT	8,377,408.20	-	4,971.25	-	8,372,436.95
FEDERAL GRANTS	-	-	-	-	-
STREET IMPROVEMENTS	(765.54)	-	162.55	-	(928.09) (2)
CAPITAL IMPROVEMENTS	(86,834.61)	-	259.20	-	(87,093.81) (2)
STORM WATER	(2,970.73)	-	3,076.61	-	(6,047.34) (2)
COP 2006/CFD 2005-01	29,238.78	3,837.86	47,263.51	-	(14,186.87)
REFUNDABLE DEPOSIT	812,176.21	27,852.89	44,881.35	-	795,147.75
COMMUNITY TRUST	112,643.80	-	9,989.45	-	102,654.35
TOTALS	\$ 33,652,426.14	\$ 1,766,697.30	\$ 1,591,824.75	\$ -	\$ 33,827,298.69

SUMMARY OF CASH:

DEMAND DEPOSITS:	GENERAL ACCOUNT	\$ 8,185,505.88	
	TOTAL DEMAND DEPOSITS		\$ 8,185,505.88
INVESTMENTS:	LOCAL AGENCY INVESTMENT FD	\$ 25,641,792.81	
	TOTAL INVESTMENTS		\$ 25,641,792.81
	TOTAL CASH		\$ 33,827,298.69

L.A.I.F. - Effective Yield for February 2015 0.266%
 Money Market-Effective Yield for February 2015 0.040%

All investments are placed in accordance with the City of Aliso Viejo's Investment Policy.

The above summary provides sufficient cash flow liquidity to meet the next six month's estimated expenditures.

Other monies held include Cash with Fiscal Agent, Payroll Account, and City Facilities in the amount of \$ 4,306,006.20

(1) Public Safety Grant includes the MDC and PVS Program Costs budgeted with SLESF funds.

(2) Transfers in and out are done on a quarterly basis.

Street Improvements include the Slurry Seal, Traffic Management and Street Improvement Projects.

Capital Improvements include park improvement and pedestrian bridge projects.

Storm Water includes the Wood Canyon Emergent Wetland Project.

Gina Tharani

Gina M. Tharani, City Treasurer

Agenda Item 5-4

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

www.treasurer.ca.gov/pmia-laif/laif.asp

March 25, 2015

CITY OF ALISO VIEJO

FINANCE DIRECTOR
12 JOURNEY, #100
ALISO VIEJO, CA 92656

PMIA Average Monthly Yields

Account Number:

98-30-007

[Tran Type Definitions](#)

February 2015 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	25,641,792.81
Total Withdrawal:	0.00	Ending Balance:	25,641,792.81



**JOHN CHIANG
TREASURER
STATE OF CALIFORNIA**



PMIA Performance Report

Date	Daily Yield*	Quarter to Date Yield	Average Maturity (in days)
03/05/15	0.28	0.27	211
03/06/15	0.28	0.27	212
03/07/15	0.28	0.27	212
03/08/15	0.28	0.27	212
03/09/15	0.28	0.27	211
03/10/15	0.29	0.27	212
03/11/15	0.29	0.27	211
03/12/15	0.28	0.27	207
03/13/15	0.28	0.27	208
03/14/15	0.28	0.27	208
03/15/15	0.28	0.27	208
03/16/15	0.28	0.27	207
03/17/15	0.28	0.27	207
03/18/15	0.27	0.27	203

*Daily yield does not reflect capital gains or losses

LAIF Performance Report

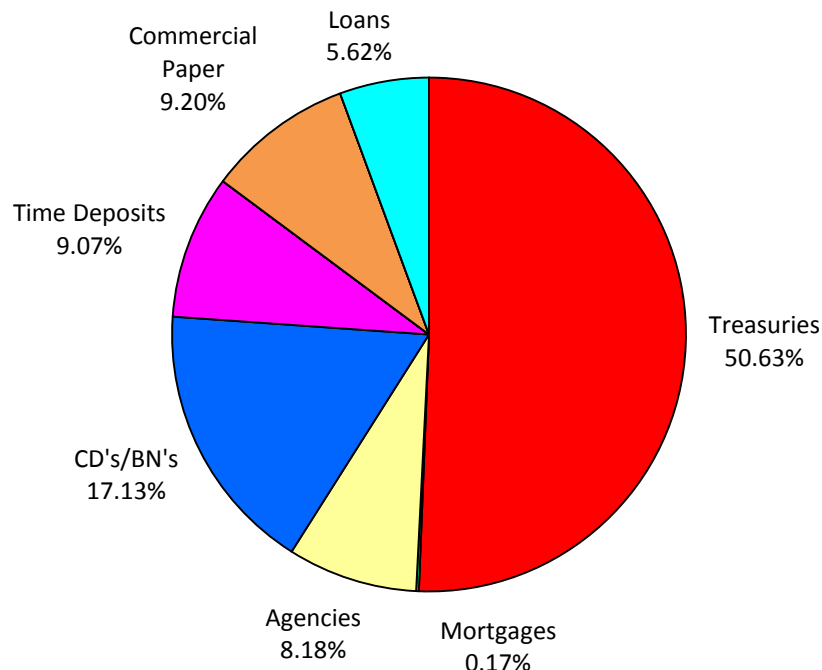
Quarter Ending 12/31/14

Apportionment Rate: 0.25%
 Earnings Ratio: 0.00000696536180771
 Fair Value Factor: 0.99998038
 Daily: 0.26%
 Quarter To Date: 0.26%
 Average Life: 200

PMIA Average Monthly Effective Yields

FEB 2015 0.266%
 JAN 2015 0.262%
 DEC 2014 0.267%

**Pooled Money Investment Account
Portfolio Composition
\$58.1 billion
2/28/15**



City of Aliso Viejo

Agenda Item



DATE: April 1, 2015

TO: Mayor and City Council

FROM: Glenn Yasui, Director of Administrative Services

SUBJECT: AGREEMENT WITH GRANICUS, INC. FOR STREAMING MEDIA SOLUTIONS

Recommendation:

- (1) Approve an Agreement between Granicus, Inc. and the City of Aliso Viejo for streaming media solutions and authorize the City Manager to execute said Agreement.
- (2) Authorize a 2014-15 budget adjustment in the amount of \$9,350 representing the upfront cost to implement Granicus' streaming media solutions.

Fiscal Impact:

The implementation of Granicus' streaming media solutions has an upfront cost in the amount of \$9,350 to be paid in FY 2014-15. A technology grant will be used to pay for the hardware in the amount of \$3,625. The General Fund will be used to pay for training in the amount of \$5,725. Additionally, an ongoing cost of \$700 per month is proposed to commence in July 2015 and will be included in the proposed 2015-16 budget.

Background:

At the March 4, 2015 Council Meeting, the Council approved broadcasting future Council Meetings on cable television and web streaming on the internet. Broadcasting Council Meetings facilitates open government and transparency in conducting City business. Web streaming improves public access especially for residents who do not subscribe to cable television. The Council Meetings will be web streamed live as well as archived to be available for viewing in the future.

Discussion:

Granicus, Inc. is the recognized industry leader of cloud-based streaming media solutions for government agencies. Granicus currently provides streaming services to over 1,200 public agencies across the country. Granicus will provide the necessary

hardware, software and training to fully implement streaming Council Meetings on the internet.

Granicus Features

In an effort to enhance the value of web streaming Council Meetings, Granicus links Agendas, Minutes and staff reports into the broadcast. This is a very useful tool for the Council, staff and residents to access Council Meeting broadcasts afterwards to view specific agenda items. The viewing experience is user friendly since viewers can click on a selected agenda item and the broadcast will automatically go to that portion of the Council Meeting.

The Granicus software includes a program that will enable the City Clerk to prepare Minutes in a timely and efficient manner. As previously mentioned, the Minutes will be linked to the audio/video recording of the Council Meetings.


Since Granicus is cloud-based, the storage and distribution of streaming content is offloaded to a Granicus Media Center, thereby eliminating the need for the City to invest in additional bandwidth and servers to support the considerable amount of streaming video. This configuration is beneficial from the standpoint of having a minimal impact on the City's IT infrastructure.

Granicus Agreement

The proposed Agreement has a three-year term with a one-year renewal in perpetuity unless either party provides 30 days written notice of its desire not to renew the Agreement. The proposed Agreement contains an upfront cost of \$9,350 for hardware and training. Additionally, there is a cost for software licensing in the amount of \$700 per month. It is recommended that the Council approve the Agreement which will enable the Granicus system to be implemented in conjunction with broadcasting Council Meetings beginning in July.


Glenn Yasui
Director of Administrative Services

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL


David A. Doyle
City Manager

Attachment: Granicus Inc. Service Agreement
Granicus Webcasting and Minutes Proposal

GRANICUS, INC. SERVICE AGREEMENT

THIS SERVICE AGREEMENT (the "Agreement"), dated as of March 23, 2015 (the "Effective Date"), is entered into between Granicus, Inc. ("Granicus"), a California Corporation, and _____, a _____ (the "Client"). Additional definitions of capitalized terms used herein are set forth in Section 12 hereof.

A. WHEREAS, Granicus is in the business of developing, licensing, and offering for sale various streaming media solutions specializing in Internet broadcasting, and related support services; and

B. WHEREAS, Granicus desires to provide and Client desires to (i) purchase the Granicus Solution as set forth in the Proposal, which is attached as Exhibit A, and incorporated herein by reference, (ii) engage Granicus to integrate its Granicus Software onto the Client Website, (iii) use the Granicus Software subject to the terms and conditions set forth in this Agreement, and (iv) contract with Granicus to administer the Granicus Solution through the Managed Services set forth in Exhibit A.

NOW, THEREFORE, in consideration of the foregoing and the mutual agreements, covenants, representations, and warranties herein contained, the parties hereto agree as follows:

1. GRANICUS SOFTWARE AND MANAGED SERVICES.

1.1 Software and Services. Subject to the terms and conditions of this Agreement, Granicus will provide Client with the Granicus Software, and Managed Services that comprise the Granicus Solution as outlined in Exhibit A. Managed Services shall mean the services provided by Granicus to Client as detailed in Exhibit A. Managed Services Fee shall mean the monthly cost of the Managed Services, as detailed in Exhibit A.

2. GRANT OF LICENSE.

2.1 Ownership. Granicus, and/or its third party supplier, owns the copyright and/or certain proprietary information protectable by law in the Granicus Software.

2.2 Use. Granicus agrees to provide Client with a revocable, non-transferable and non-exclusive license to access the Granicus Software listed in the Proposal and a revocable, non-sublicensable, non-transferable and non-exclusive right to use the Granicus Software. All Granicus Software is proprietary to Granicus and protected by intellectual property laws and international intellectual property treaties. Pursuant to this Agreement, Client may use the Granicus Software to perform its own work, including Client's work with its customers/constituents. Cancellation of the Client's Managed Services will also result in the immediate termination of the Client's Software license as described in Section 2.2 hereof.

2.3 Limited Warranty; Exclusive Remedies. Subject to Sections 6.1 and 6.2 of this Agreement, Granicus warrants that the Granicus Software, as provided by Granicus, will substantially perform in accordance with the functionality and features as described in the Proposal for as long as the Client pays for and receives Managed Services. Client's sole and exclusive remedy for any breach by Granicus of this warranty is to notify Granicus, with sufficient detail of the nonconformance, and provide Granicus with a reasonable opportunity to correct or replace the

defective Granicus Software. Client agrees to comply with Granicus' reasonable instructions with respect to the alleged defective Granicus Software.

2.4 Limitations. Except for the license in Section 2.2, Granicus retains all ownership and proprietary rights in and to the Granicus Software, and Client is not permitted, and will not assist or permit a third party, to: (a) utilize the Granicus Software in the capacity of a service bureau or on a time share basis; (b) reverse engineer, decompile or otherwise attempt to derive source code from the Granicus Software; (c) provide, disclose, or otherwise make available the Granicus Software, or copies thereof, to any third party; or (d) share, loan, or otherwise allow another Meeting Body, in or outside its jurisdiction, to use the Granicus Software, or copies thereof, except as expressly outlined in the Proposal.

3. PAYMENT OF FEES

3.1 Client agrees to pay all fees, costs and other amounts as outlined in the Proposal in Exhibit A.

3.2 Fifty percent (50%) of all up-front fees are due upon Granicus' receipt of an executed agreement or purchase order, as appropriate. The remaining fifty percent (50%) of up-front fees are due upon completion of deployment. Quarterly billing for Managed Services shall begin upon completion of deployment. Client will be invoiced a pro-rated amount from the deployment completion date through the end of the quarter. Thereafter, Client will be billed each January 1, April 1, July 1, and October 1. Client agrees to pay all invoices from Granicus within thirty (30) days of receipt of invoice. Client acknowledges that products may be delivered and fully operational separate from the other purchased products.

For Open Platform, Government Transparency, and Meeting Efficiency Suites, deployment is complete once the software is installed, tested and deemed by Granicus to be ready for Client's use. For Legislative Management deployment is complete once the hardware and software are installed, tested, and deemed by Granicus to be ready for Client's use, and the Legistar database is configured for the Client. The database is considered to be fully configured after the final Needs Analysis Call.

3.3 Granicus, Inc. shall send all invoices to:

Name:
Title:
Address:

3.4 Upon each yearly anniversary during the term of this Agreement (including both the initial term and all renewal terms), the Granicus Managed Service Fees shall automatically increase from the previous Managed Service Fees by five (5) percent per annum.

3.5 Training Cancellation Policies. Granicus' policies on Client cancellation of scheduled trainings are as follows:

(a) Onsite Training. For any cancellations within forty-eight (48) hours of the scheduled onsite training, Granicus, at its sole discretion, may invoice the Client for one hundred (100) percent of the purchased training costs and all travel expenses, including any incurred third party cancellation fees. Subsequent training will need to be purchased and scheduled at the previously quoted pricing.